

110TH CONGRESS
1ST SESSION

S. 945

To ensure that college textbooks and supplemental materials are available
and affordable.

IN THE SENATE OF THE UNITED STATES

MARCH 20, 2007

Mr. DURBIN (for himself and Mr. COLEMAN) introduced the following bill;
which was read twice and referred to the Committee on Health, Edu-
cation, Labor, and Pensions

A BILL

To ensure that college textbooks and supplemental materials
are available and affordable.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “College Textbook Af-
5 fordability Act of 2007”.

6 **SEC. 2. PURPOSE AND INTENT.**

7 The purpose of this Act is to ensure that every stu-
8 dent in higher education is offered better and more timely
9 access to affordable course materials by educating and in-
10 forming faculty, students, administrators, institutions of

1 higher education, bookstores, and publishers on all aspects
2 of the selection, purchase, sale, and use of the course ma-
3 terials. It is the intent of this Act to have all involved par-
4 ties work together to identify ways to decrease the cost
5 of college textbooks and supplemental materials for stu-
6 dents while protecting the academic freedom of faculty
7 members to provide high quality course materials for stu-
8 dents.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) COLLEGE TEXTBOOK.—The term “college
12 textbook” means a textbook, or a set of textbooks,
13 used for a course in postsecondary education at an
14 institution of higher education.

15 (2) COURSE SCHEDULE.—The term “course
16 schedule” means a listing of the courses or classes
17 offered by an institution of higher education for an
18 academic period.

19 (3) INSTITUTION OF HIGHER EDUCATION.—The
20 term “institution of higher education” has the
21 meaning given the term in section 102 of the Higher
22 Education Act of 1965 (20 U.S.C. 1002).

23 (4) PUBLISHER.—The term “publisher” means
24 a publisher of college textbooks or supplemental ma-
25 terials involved in or affecting interstate commerce.

1 (5) SUPPLEMENTAL MATERIAL.—The term
 2 “supplemental material” means educational material
 3 published or produced to accompany a college text-
 4 book.

5 **SEC. 4. PUBLISHER REQUIREMENTS.**

6 (a) COLLEGE TEXTBOOK PRICING INFORMATION.—
 7 When a publisher provides a faculty member of an institu-
 8 tion of higher education with information regarding a col-
 9 lege textbook or supplemental material available in the
 10 subject area in which the faculty member teaches, the pub-
 11 lisher shall include, with any such information and in writ-
 12 ing, the following:

13 (1) The price at which the publisher would
 14 make the college textbook or supplemental material
 15 available to the bookstore on the campus of, or oth-
 16 erwise associated with, such institution of higher
 17 education.

18 (2) Any history of revisions for the college text-
 19 book or supplemental material.

20 (3) Whether the college textbook or supple-
 21 mental material is available in any other format, in-
 22 cluding paperback and unbound, and the price at
 23 which the publisher would make the college textbook
 24 or supplemental material in the other format avail-

1 able to the bookstore on the campus of, or otherwise
2 associated with, such institution of higher education.

3 (b) UNBUNDLING OF SUPPLEMENTAL MATERIALS.—

4 A publisher that sells a college textbook and any supple-
5 mental material accompanying such college textbook as a
6 single bundled item shall also sell the college textbook and
7 each supplemental material as separate and unbundled
8 items.

9 **SEC. 5. PROVISION OF ISBN COLLEGE TEXTBOOK INFOR-**
10 **MATION IN COURSE SCHEDULES.**

11 (a) INTERNET COURSE SCHEDULES.—Each institu-
12 tion of higher education that receives Federal assistance
13 and that publishes the institution’s course schedule for the
14 subsequent academic period on the Internet shall—

15 (1) include, in the course schedule, the Inter-
16 national Standard Book Number (ISBN) and the re-
17 tail price for each college textbook or supplemental
18 material required or recommended for a course or
19 class listed on the course schedule that has been as-
20 signed such a number; and

21 (2) update the information required under
22 paragraph (1) as necessary.

23 (b) WRITTEN COURSE SCHEDULES.—In the case of
24 an institution of higher education that receives Federal
25 assistance and that does not publish the institution’s

1 course schedule for the subsequent academic period on the
 2 Internet, the institution of higher education shall include
 3 the information required under subsection (a)(1) in any
 4 printed version of the institution's course schedule and
 5 shall provide students with updates to such information
 6 as necessary.

7 **SEC. 6. AVAILABILITY OF INFORMATION FOR COLLEGE**
 8 **TEXTBOOK SELLERS.**

9 An institution of higher education that receives Fed-
 10 eral assistance shall make available, as soon as is prac-
 11 ticable, upon the request of any seller of college textbooks
 12 (other than a publisher) that meets the requirements es-
 13 tablished by the institution, the most accurate information
 14 available regarding—

15 (1) the institution's course schedule for the sub-
 16 sequent academic period; and

17 (2) for each course or class offered by the insti-
 18 tution for the subsequent academic period—

19 (A) the International Standard Book Num-
 20 ber (ISBN) for each college textbook or supple-
 21 mental material required or recommended for
 22 such course or class that has been assigned
 23 such a number;

24 (B) the number of students enrolled in
 25 such course or class; and

- 1 (C) the maximum student enrollment for
- 2 such course or class.

